

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ERIC YEH, on behalf of himself and all others similarly situated,

Plaintiff,

v.

THE HERSHEY COMPANY and RAINFOREST ALLIANCE Inc.,

Defendants.

Case No. 24-CV-453

Hon. Franklin U. Valderrama

**PARTIES' JOINT MOTION TO AMEND THE BRIEFING SCHEDULE FOR
DEFENDANTS' RULE 12(B) MOTIONS TO DISMISS**

Plaintiff Eric Yeh ("Plaintiff") and Defendants The Hershey Company and Rainforest Alliance Inc. ("Defendants"), by and through their undersigned counsel, hereby jointly move the Court for an order amending the briefing schedule for Defendants' anticipated motions under Federal Rule of Civil Procedure 12(b).

In support of their motion, the Parties state as follows:

1. On March 25, 2024, the Parties filed a Joint Motion to Extend Time for Defendants' Responsive Pleadings and to Establish a Briefing Schedule for Defendants' 12(b) Motions to Dismiss. ECF No. 15. The Court granted the Joint Motion. ECF No. 23.
2. On May 7, the Parties jointly moved for the briefing schedule to be amended. ECF No. 29. The Court granted the Joint Motion. ECF No. 30.
3. On June 7, the Parties jointly moved for the briefing schedule to be amended on the ground that the Parties were discussing a potential resolution of this action. ECF No. 34. The Court granted the Joint Motion. ECF No. 35.

4. On July 2, the Parties jointly moved for a further amendment to the briefing schedule on the ground that the Parties were continuing to discuss a potential resolution of this action. ECF No. 38. The Court granted the Joint Motion. ECF No. 39.

5. On August 1, the Parties jointly moved for a further amendment to the briefing schedule on the ground that the Parties were continuing to discuss a potential resolution of this action. ECF No. 40. The Court granted the Joint Motion, ECF No. 41, and entered the following briefing schedule:

- Motions to dismiss to be filed by August 30, 2024.
- Plaintiff's oppositions to the motions to dismiss to be filed by October 23, 2024.
- Defendants' reply briefs (if any) to be filed by November 13, 2024.

6. The Parties, through counsel, have met and conferred and request that Defendants' responsive pleading deadline be changed to September 13, 2024, with Plaintiff's oppositions to the motions to dismiss to be filed no later than November 6, 2024, and Defendants' reply briefs (if any) to be filed no later than November 27, 2024.

7. The Parties agree that good cause exists to adjust the briefing schedule. The Parties are continuing to discuss a potential resolution of this action, and a brief two-week extension will enable the Parties to finalize their discussions and any resulting agreement.

8. Accordingly, the Parties request that the Court enter the following briefing schedule for Defendants' anticipated motions to dismiss:

- Defendants will file their motions to dismiss by September 13, 2024.
- Plaintiff will file his oppositions to the motions to dismiss by November 6, 2024.
- Defendants will file their reply briefs (if any) by November 27, 2024.

WHEREFORE, the Parties respectfully request that the Court enter an Order establishing the deadlines set forth above.

Dated: August 30, 2024

Respectfully submitted,

/s/ Kim E. Richman

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on August 30, 2024, she electronically filed the foregoing **Parties' Joint Motion to Amend the Briefing Schedule for Defendants' 12(b) Motions to Dismiss** with the Clerk of the Court using the ECF system, which will send notification of such filing to all counsel of record.

/s/Bethany K. Biesenthal

Bethany K. Biesenthal